United Nations S/2004/927

Security Council

Distr.: General
29 November 2004

Original: English

Letter dated 27 November 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council

I have the pleasure of drawing to your attention a letter dated 26 November 2004 from the Secretary-General addressed to the Minister for Foreign Affairs of the Kingdom of the Netherlands (annex I). In that letter the Secretary-General expressed his intention to establish a United Nations trust fund to administer and disburse financial contributions to the distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq, provided there is a mandate from the Security Council. In this context I would also like to draw to your attention a letter dated 21 October 2004 from the Minister for Foreign Affairs of the Kingdom of the Netherlands to the Secretary-General (annex II), in which the latter is informed that European Union member States are ready to contribute approximately US$ 12 million to finance the middle ring of the United Nations protection force in Iraq.

I should be grateful if the present letter and its annexes could be circulated as a document of the Security Council.

(*Signed*) Dirk Jan **van den Berg**
Ambassador
Permanent Representative

04-62553 (E) 291104

Annex I to the letter dated 26 November 2004 from the Permanent Representative of the Netherlands to the Untied Nations addressed to the President of the Security Council

26 November 2004

Thank you for your letter of 20 October 2004 and the readiness of the European Union member States to contribute about US$ 12 million to finance the "middle ring" of the United Nations security arrangements in Iraq.

At the outset, I note that in paragraph 13 of resolution 1511 (2003) the Security Council authorized a multinational force under unified command to take all necessary measures to contribute to the maintenance of security and stability in Iraq, including the security of the United Nations Assistance Mission for Iraq (UNAMI). In paragraphs 9 and 10 of resolution 1546 (2004), the Council reaffirmed the authorization for the multinational force. In paragraph 13 of the same resolution, the Council noted the intention, set out in the annexed letter from the United States Secretary of State, "to create a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq ...", recognized that the implementation of measures to provide security for staff members of the United Nations system working in Iraq would require significant resources, and called upon Member States and relevant organizations to provide such resources, including contributions to that entity.

In my letter of 25 August 2004, I urged Member States to contribute to the distinct entity envisaged in paragraph 13 of Security Council resolution 1546 (2004). I also indicated that the United Nations would consider establishing a trust fund, should that help to facilitate financial contributions to support the distinct entity. However, I stressed that, although mandated by the Security Council, the distinct entity had not been set up as a United Nations operation. Therefore, the United Nations would have no role in its financing, deployment or in-theatre command and support.

Considering the above, I have reviewed your proposal for the establishment of a United Nations trust fund for accepting and administering contributions from Member States, including the States members of the European Union. While your willingness to make such financial contributions is certainly welcomed, United Nations rules and regulations do not allow for the establishment of a trust fund for such a purpose in the absence of a specific mandate from a United Nations legislative body.

In order to proceed with establishing a trust fund for the purpose indicated in your letter, I would need a mandate from the Security Council to that effect. If the Security Council were to give me such a mandate, I would proceed to establish a trust fund so that the contributions could be processed forthwith.

(*Signed*) Kofi A. **Annan**

Annex II to the letter dated 26 November 2004 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the Security Council

21 October 2004

I would like to refer to your letter of 20 August 2004 in which you urge the States members of the European Union to contribute to a distinct entity under unified command of the multinational force with a dedicated mission to provide security for the United Nations presence in Iraq pursuant to Security Council resolution 1546 (2004) of 8 June 2004 ("United Nations protection force"). Furthermore, I would like to refer to our recent discussion in New York on — among other things — the protection of the United Nations presence in Iraq.

The European Union attaches great importance to the presence of the United Nations in Iraq and wants — wherever relevant — to establish close engagement and cooperation with the United Nations. The European Union Council conclusions of 12 July 2004 reaffirm the European Union's commitment to supporting the Interim Government of Iraq and the United Nations in the economic, social and political reconstruction of Iraq. Our efforts will be based on the EU medium-term strategy for Iraq and the communication from the Commission to the Council and the European Parliament, entitled "The European Union and Iraq: A Framework for Engagement".

The European Union recognizes the need for a strong and well-equipped protection force in order for the United Nations to be able to play its role in Iraq to the fullest. Therefore, I am pleased to inform you that EU member States are ready to contribute approximately US$ 12 million to financing the middle ring of the United Nations protection force in Iraq. These financial means are to be used for troop contributions from third countries which are not in a position to bear the costs of deployment themselves.

In order for this contribution to be made available to the United Nations, information regarding the administrative details concerning the transfer of the above-mentioned funds, and more specifically on the establishment of a United Nations trust fund for that purpose, would be welcomed.

(*Signed*) Bernard **Bot**
Minister for Foreign Affairs of the Kingdom of the Netherlands